

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Case No. 1:23-cv-00369-NRM-RML

Plaintiff,

-against-

**MOTION TO WITHDRAW AS
COUNSEL**

RARE BREED TRIGGERS, LLC; RARE
BREED FIREARMS, LLC; LAWRENCE
DEMONICO; KEVIN MAXWELL,

Defendants.

Undersigned Counsel, Caleb Kruckenberg, Jonathan M. Houghton and Steven M. Simpson, hereby move to withdraw as counsel for Defendants, Rare Breed Triggers, LLC, Rare Breed Firearms, LLC, Lawrence DeMonico and Kevin Maxwell pursuant to Local Civil Rule 1.4. As set forth in the attached affidavits of counsel, counsel and Defendants have an irreconcilable conflict concerning this litigation to such an extent that counsel can no longer represent Defendants in this matter. In addition to the specific statements contained in the attached affidavits of counsel, if the Court seeks additional information concerning this request, counsel requests the opportunity to present information *in camera* in a sealed proceeding.

Defendants have been served with a copy of this motion and affidavits, and do not oppose the withdrawal request. Defendants request the right to be present at any *in camera* proceeding concerning this motion. Defendants also request that this Court hold this matter in abeyance for 60 days, including all deadlines associated with the pending proceeding, while Defendants secure replacement counsel. Defendants consent to an extension of the existing temporary restraining order as is necessary to provide them with such a 60-day stay of the proceedings.

Counsel for the Government has been contacted concerning this motion and the relief requested and requests an opportunity to file a response.

Respectfully submitted May 1, 2023.

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Attorneys for Defendant, Rare Breed Triggers, LLC

AFFIRMATION OF SERVICE

I, Caleb Kruckenberg, declare under penalty of perjury that I filed the foregoing with the Clerk of the Court of the Eastern District of New York through the CM/ECF system, which will serve notice of said filing on all counsel of record.

s/ Caleb Kruckenberg
CALEB KRUCKENBERG*